



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

OCT 05 2007

PROMPT REPLY NECESSARY
CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. James Stewart
6752 Big River Heights Road
DeSoto, Missouri 63020

Re: Request for Information Pursuant to Section 104 of CERCLA for Jefferson County Lead District Superfund Site, Jefferson County, Missouri

Dear Mr. Stewart:

This letter seeks your cooperation in providing information and documents related to the delivery of contaminated soil, sand, gravel, and/or rock found in residential yards at various Lead Superfund Sites ("Site") in Missouri. The Site includes but is not limited to areas in the Missouri counties of Jefferson, Franklin, and Washington. We encourage you to give this matter your immediate attention and that you provide a complete and truthful response to this Information Request within twenty-one (21) days of your receipt of this letter.

The United States Environmental Protection Agency ("EPA") is investigating lead contamination found in residential yards located in various areas throughout Missouri. EPA is seeking information concerning the transportation of lead contaminated soil, sand, gravel, and/or rock which may affect public health. The EPA believes that you might possess information which may assist the Agency in its investigation of the Site.

The EPA has conducted sampling and removed lead contaminated soil, sand, gravel and/or rock from residential yards. EPA has information that the contamination of residential yards is due to past mining activities at the Site. The EPA is conducting further investigation to identify potentially responsible parties ("PRPs") responsible for lead contaminated soil, sand, gravel and/or rock at the Site. The EPA has information that you have delivered lead contaminated soil from your property to properties located at the Site.

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Under Section 104(e)(2) of CERCLA, 42 U.S.C. § 9604(e)(2), EPA has broad information gathering authority which allows EPA to require persons to furnish information or documents. The specific information EPA is seeking can be found in Attachment A.

While EPA seeks your cooperation in this investigation, compliance with the Information Request is required by law. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. The information you provide may be used by EPA in administrative, civil or criminal proceedings.

Some of the information EPA is requesting may be considered by you to be confidential. Please be aware that you may not withhold the information upon that basis. If you wish EPA to treat the information confidentially, you must support your claim for confidentiality.

If you have information about other parties who may have information which may assist the Agency in its investigation of the Site or may be responsible for the contamination at the Site, that information must be submitted within the time frame noted above.

Section 104 of CERCLA, 42 U.S.C. § 9604, authorizes EPA to pursue penalties for failure to comply with that section or for failure to respond adequately to requests for submissions of required information.

This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501 et seq.

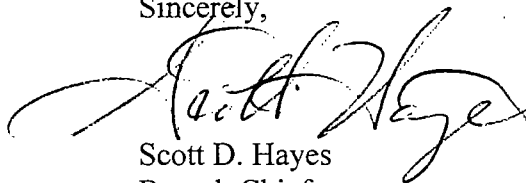
Included in this Information Request is a stamped, self-addressed envelope for you to mail your response back to the EPA. Your response to this Information Request should be mailed to:

Kelley Hickman
Office of Regional Counsel
U. S. Environmental Protection Agency
901 North 5th Street
Kansas City, Kansas 66101.

If you have questions about the history of the Site, the nature of the environmental conditions at the Site, or the status of response activities, please contact Jim Silver, On-Scene Coordinator at (636) 326-4724. However, if you have specific questions about the Information Request please contact Kelley Hickman, the attorney assigned to portions of the Site, at (913) 551-7110.

We appreciate and look forward to your prompt response to this information request.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Hayes", written over the printed name.

Scott D. Hayes
Branch Chief
Emergency Response and Removal Branch
Superfund Division

Enclosure

cc: Mr. Dennis Stinson, MDNR

Attachment A
Information Request to
James Stewart

EPA has provided an additional copy of this Information Request so that you may write your answer directly on the copy. Please return the copy with your original answers to EPA. Please keep the original letter for your files. In your answer, please identify who answered the question, who may have been consulted in preparing the answer, and identify any and all documents consulted or referred to in preparation of your answer. If you do not have documents to support your answer, please explain why the documents are no longer available, and provide answers using the best of your recollection.

EPA has information that you have delivered material (soil, sand, gravel and/or rock) to properties located in Jefferson, Washington, and Franklin counties. Please list the name, address, and phone number of any person or company where you have delivered material to in the last twenty years (i.e. since 1987). Please limit your list to locations found in Jefferson, Washington, and Franklin counties. Please provide any receipts or invoices you produced for your services.

To WHOM IT MAY CONCERN,

STARTING IN 1999 I STARTED DIGGING A POND FOR MY OWN USE. I HAD MATERIAL (DIRT & SAND) THAT I NEEDED TO REMOVE. I GAVE SOME OF THIS MATERIAL AWAY UNTIL SOMEONE SUGGESTED I COULD SELL IT. I NEVER HAULED OR DELIVERED ANY DIRT MYSELF. I HAVE NO WAY OF KNOWING WHERE THE DIRT WENT. I WILL PROVIDE A LIST OF THOSE WHO HAULED TO THE BEST OF MY RECOLLECTION BELOW. SOME OF THESE HAULERS WERE UNKNOWN TO ME.

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|------------------------|---------------------------|------------------------|
| DRT TRUCKING | FLETCHER, MO 573-678-2476 | MISSEY HAULING DESTO |
| KLEINSCHMIDT TRUCKING | FESTUS, MO | RICH STRICKER DESTO MO |
| HAWKINS HAULING | DESTO MO 636-586-2755 | QUEEN CONSTRUCTION " " |
| KIM PAZDIERA | FESTUS, MO | (CHAS) |
| APAC CONSTRUCTION | ATLANTA GA. ? | |
| CE CONSTRUCTION | BLOOMSDALE, MO | |
| TERRY PRUNKARD | DESTO, MO | |
| JIMMY RICHARDS HAULING | CADET, MO | |
| MARK WICKER | " " | |
| BEN HAULING | OLD MINES, MO | |

